

USSN 09/617,663
2000U004.US**REMARKS**Abstract

The Abstract is corrected as suggested by the Examiner.

Section 112 Rejection

The Examiner rejects Claims 24-41 under 35 U.S.C. § 112, second paragraph, as being indefinite. The Applicant amends the claims, except for the following:

In Claim 39, there is antecedent basis, as the formula in the referenced claim contains "Al", representative of an aluminum atom.

Given the incorporation of the Examiner's comments into the new claims, the Applicant requests that this rejection be withdrawn.

First Section 103 Rejection

The Examiner rejects Claims 24-41 under 35 U.S.C. § 103(a) as being unpatentable over each of *Whiteker* (US 6,333,389) in view of *Holtcamp* (WO 00/04058). The Applicant traverses this rejection, as Claims 21 and 31 are now amended to incorporate the limitations of Claims 30 and 41, respectively.

In particular, the catalyst composition (claim 21) and method of preparing the catalyst composition (claim 31) are now described as having "supported activator and iminophenoxide Group 4 catalyst compound are combined in a mole ratio (Al:Group 4 metal) of from 0.3:1 to 3:1." This limitation further defines the catalyst composition and method of the invention and its unexpected advantages over the prior. Converting to the same units (g polymer/mmol cat·atm·hr), the activity of the *Whiteker* catalyst (Example 1, in 300 MMAO excess) is only about 1300, whereas the catalyst of the present invention has an activity approaching 1000 (see Table 1) using a much lower ratio of activator (as now claimed). It can be seen that the present invention provides a significant advantage in having a high activity while using a small amount of activator. This is an unexpected advantage.

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Whiteker does not disclose or suggest the use of a support. It is known in the art that supported catalysts tend to have lower activity relative to the same unsupported catalyst. The teachings of *Holtcamp* do not remedy *Whiteker* in this regard, as there is no teaching in *Holtcamp* as to the useful molar ratios of supported activator to catalyst metal to be used. *Holtcamp* discloses only a supported aluminum aryl compound for use with metallocene catalyst compounds. While the presently claimed catalyst compounds and those of *Holtcamp* are both used to polymerize olefins, it is not expected that the activation chemistry would be the same. There is no motivation within *Holtcamp* or *Whiteker* to combine the documents in arriving at Applicant's claimed invention. Undue experimentation would be required to simply combine *Holtcamp* with *Whiteker* to arrive at Applicant's claimed invention.

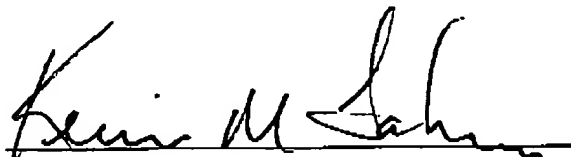
Given the amendments to the Claims, and the remarks above, the Applicant requests that these rejections be withdrawn.

It is submitted that the case is in condition for allowance. The Applicant invites the Examiner to telephone the undersigned attorney if there are any other issues outstanding which have not been presented to the Examiner's satisfaction.

Respectfully submitted:

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Date



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